

### **REMARKS**

The Applicant respectfully requests reconsideration of this application in view of the amendment and the following remarks. In this response, claims 1-8, 14 and 16-17 have been amended to further clarify the distinguishing features over the prior art. Five claims, i.e., claims 9-13, have been cancelled. Six new claims, i.e., claims 21-26, have been added. Hence, upon entry of this amendment, claims 1-8 and 14-26 are presented for examination.

### **Claim Rejections – 35 U.S.C. §112**

In the Office action, the Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph for allegedly being indefinite. The undersigned does not agree with the Examiner's conclusion regarding indefiniteness; however, for sake of expediting allowance of the claims, the undersigned proposes herein a change to the language at issue, which is thought to address the Examiner's concerns.

### **Claim Rejections** **35 U.S.C. §102 - Tofano**

In the Office action, the Examiner rejected claims 1, 2, 5, 6, 9-15 18 and 19 under 35 U.S.C. §102(e) for allegedly being anticipated by US Patent No. 6,625,169 of Tofano (hereafter "**Tofano**"). The undersigned respectfully disagrees with the Examiner's characterization of Tofano and points out several distinctions between the claimed subject matter and the disclosure of Tofano.

As presently understood by the undersigned, Tofano generally relates to a communication system that uses a common format, such as an encapsulated format, to facilitate efficient transport of data between network interfaces via a shared, non-switched system bus 227 (see, e.g., col. 9, ll. 55-66, col. 20, ll. 49-53, col. 24, ll. 19-25, Fig. 5 and Fig. 7(b) (Encapsulation E1 309 and Encapsulation E2 311)).

With regarding to independent claim 1, as amended, Tofano does not teach or reasonably suggest at least "relaying the first network packet and the second network packet to a first shared processing resource via a switch fabric," translating the

network packets from their respective packet formats to an intermediate packet format having an Ethernet media format and translating the intermediate packets from the Ethernet media format to respective outbound network packets as recited. For example, the specification, with reference to Fig. 2, indicates in one embodiment “the bridging application translates the received network packet to an intermediate Ethernet format by using the network packet’s Ethernet header included with the network packet” if the relay location is a netmod associated with a disparate media format and a disparate media channel from the received network packet (see, e.g., paragraph [0039]) For at least these reasons, independent claim 1 and its dependent claims, which add further limitations, are thought to be distinguishable over the teachings of Tofano.

With regard to independent claim 14, as amended, Tofano does not teach or reasonably suggest at least a bridging application for “translating the network packets between media formats using Ethernet for delivery to a plurality of heterogeneous media transmission channels” as recited. For at least this reason, independent claim 14 and its dependent claims, which add further limitations, are thought to be distinguishable over Tofano.

### **Claim Rejections**

#### **35 U.S.C. §103 – Tofano in view of Macera**

In the Office action, the Examiner rejected claims 3, 4, 16 and 17 under 35 U.S.C. §103(a) for allegedly being unpatentable over Tofano in view of US Patent No. 5,490,252 of Macera et al. (hereafter “**Macera**”). The undersigned respectfully disagrees with the Examiner’s characterization of the combination of Tofano and Macera and points out several distinctions between the claimed subject matter and the asserted combination.

The Examiner relies on Macera solely for its alleged teaching regarding canonical headers, which the Examiner indicates “may include Ethernet header data since Ethernet is a very well known and widely used networking standard.” To the extent the Examiner is taking official notice of a particular fact, the undersigned respectfully requests the Examiner acknowledge same in any subsequent rejection. In the meantime, the undersigned finds no teaching or suggestion in Macera regarding at least “relaying the

first network packet and the second network packet to a first shared processing resource via a switch fabric,” translating the network packets from their respective packet formats to an intermediate packet format having an Ethernet media format and translating the intermediate packets from the Ethernet media format to respective outbound network packets as recited in independent claim 1, as amended; or a bridging application for “translating the network packets between media formats using Ethernet for delivery to a plurality of heterogeneous media transmission channels” as recited in independent claim 14, as amended. Thus, the combination of Tofano and Macera remains deficient with respect to the dependent claims for at least the same reasons set forth above with reference to independent claims 1 and 14.

### ***New Claims***

Six new claims, i.e., claims 21-26, have been added. No new matter has been introduced by these new claims. The newly added claims are thought to be allowable over the references of record for at least various of the reasons presented above with reference to claims 1 and 14.

### **Conclusion**

The undersigned respectfully submits that the remark has overcome the rejections, and that the pending claims are in condition for allowance. Accordingly, Applicant requests that the rejections be withdrawn and that a Notice of Allowance be promptly issued for claims 1-8 and 14-26.

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Reply to Office Action of August 22, 2007

**Request for a Telephone Interview**

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-284-5103.

Respectfully submitted,

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